



**CITY OF HAVERHILL
CITY COUNCIL AGENDA**

LINDA

**Tuesday, March 17, 2015 at 7:00 PM
City Council Chambers, Room 202**

- 1. APPROVAL OF RECORDS OF THE PREVIOUS MEETING**
- 2. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**
- 3. COMMUNICATIONS FROM THE MAYOR**

3.1. Communication from Mayor Fiorentini requesting permission to address Council on Tuesday, March 24th to present the State of the City to the citizens of Haverhill

Attachment

- 4. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES**
NO SCHEDULE

- 5. UTILITY HEARING(S) AND RELATED ORDER(S)**
NO SCHEDULE

- 6. APPOINTMENTS**

Confirming Appointments

NO SCHEDULE

Non-confirming Appointment

6.1 375th Anniversary Committee Dan Speers, Jenny Arndt & William J White Jr

Attachment

Resignations:

NO SCHEDULE

- 7. Petitions:**

7.1. Petition from Attorney Robert Harb for applicant/owner Eileen F Petrocelli requesting a hearing to amend the Zoning District Boundary Map; for a portion of property located at 95 Lake st; from RR (Residential Rural Density) Zone to the RM (Residential Medium) Zone; where passage would place the entire property of 7.8 acres in an RM Zone

**Refer to Planning Board &
Council Hearing May 5th**

7.2 Petition from Attorney Robert Harb for applicant Eric V Dorman requesting a Hearing to grant a Special Permit to build a four-unit multifamily dwelling on unnumbered Auburn st; formerly known as #69; to be sold as condos

**Refer to Planning Board &
Council Hearing May 12th**
Attachments



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, March 17, 2015 at 7:00 PM
City Council Chambers, Room 202

8. Applications:
NO SCHEDULE

8.1. One Day Liquor Licenses
NO SCHEDULE

8.2. Applications for Permit
NO SCHEDULE

9. Tag Days

9.1. *HHS Tennis*

April 17th

9.2. *Marine Corps League*

September 25, 26 27

Attachments

10. Annual License Renewals:

10.1. Buy & Sell Second Hand Articles

NO SCHEDULE

Coin-ops

10.2 *Chicken Connection* 242 Broadway 1 Coin-op

Attachment

Sunday License

10.3 *Chicken Connection* 1 Sunday Coin-op

Attachment

11. Hawker/Peddler:
NO SCHEDULE

12. Hawker or Peddler Engaged in Door to Door Sales

NO SCHEDULE

13. Drainlayer 2015 License

13.1. James Lynch

13.2. Charles Zaher

Attachments



CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, March 17, 2015 at 7:00 PM
City Council Chambers, Room 202

14. HEARINGS AND RELATED ORDERS

14.1. Document 20, petition from Michael Crowe, trustee of Scotland Heights Realty Trust, requesting Street Acceptance of 3 roadways in Scotland Heights subdivision; Scotland Heights Road, Blye Road and a portion of Tersolo Road *Favorable recommendation from Planning Board and Planning Director William Pillsbury*

14.2 Doc 20-B, Order – following streets be accepted as Public Ways: *Scotland Heights rd, Blye rd and Tersolo rd* Attachment

MOTIONS AND ORDERS

14.2. Order – Community Choice Power Supply Plan (Aggregation Plan) be and is herewith approved *Related communication from Orlando Pacheco, Purchasing Agent/Energy Manager* Attachment

15. Ordinances (File 10 Days)

15.1. Ordinance re: Vehicles and Traffic Amend City Code Chapter 240-108, ARTICLE XVI. Parking Fees, Rates and Terms File 10 days

16. UNFINISHED BUSINESS OF PRECEDING MEETINGS

16.1. Document 10-K, communication from Councillors LePage and Sullivan requesting a discussion regarding the Cogswell School RFP *postponed from March 10 2015* Attachment

17. MONTHLY REPORTS

17.1. Abatement report from Board of Assessors for month of February 2015 Attachment

18. Communications from Councillors

NO SCHEDULE

19. Resolutions and Proclamations

NO SCHEDULE

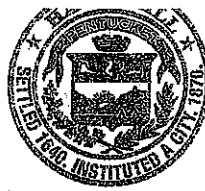
20. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

NO SCHEDULE

21. DOCUMENTS REFERRED TO COMMITTEE STUDY

22. ADJOURN

JAMES J. FIORENTINI
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

March 10, 2015

City Council President John A. Michitson and
Members of the Haverhill City Council

RE: State of the City

Dear Mr. President and Members of the Haverhill City Council:

I request permission to appear before you on Tuesday, March 24th, 2015, to present the State of the City to the citizens of Haverhill, 7PM.

Very truly yours,

James J Fiorentini, Mayor

JAMES J. FIORENTINI
MAYOR



**CITY OF HAVERHILL
MASSACHUSETTS**

011
CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

March 13, 2015

City Council President John Michitson
& Members of the City Council

RE: 375th Anniversary Committee

Dear Council President and Members of the City Council:

This year, 2015, marks the 375th anniversary of the founding of the City of Haverhill. The city would like to mark this important event with an appropriate celebration at around the same time as the Fourth of July celebration.

I hereby appoint the following persons to that committee:

Dan Speers, 104 Jericho Road
Jenny Arndt, 38 Elm Street
William J. White, Jr., 15 Marsh Avenue

Very truly yours,


James J. Fiorentini
Mayor

Ordinance

Robert D. Harb
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

TEL: (978) 373-5611
FAX: (978) 373-7441
EMAIL: bobharb@aol.com

Hearing May 2015

Of Counsel
Alfred J. Cirome

7.1

March 6, 2015

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Re: PETITION TO AMEND THE ZONING DISTRICT BOUNDARY MAP
For A Portion of Tax Map 588 Block 422 Lot 16
Applicant and Owner: Eileen F. Petrocelli
Affected Property: 95 Lake Street, Haverhill, MA

This Petition is hereby made to Amend the Zoning District Boundary Map for a portion of the property located at 95 Lake Street, Haverhill, MA from the RR (Residential Rural Density) Zone to the RM (Residential Medium) Zone. The property is presently located in both the RR (Residential Rural Density) Zone and the RM (Residential Medium) Zones. The passage of this Amendment would place the entire property in an RM Zone.

The entire premises contains 7.8 Acres of land, more or less, as shown on the enclosed Plan.

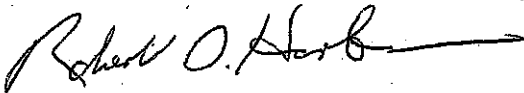
This Petition is being filed by the owner of the land to be affected by the amendment.

Submitted with this Petition is a reproducible plan and 32 copies of the same.


Also enclosed is a meets and bounds description of the property requested to be rezoned and the applicable filing fee made payable to the City of Haverhill.

The Applicant waives the 65 day hearing requirement.

Respectfully submitted,



Robert D. Harb, Attorney For Eileen F. Petrocelli



Eileen F. Petrocelli

l-city-petrocelli-petition

January 7, 2015

Proposed Relocated Zone Line Description

Prepared for;
Eileen Petrocelli
Parcel #588-422-16
95 Lake Street
Haverhill, Ma

To relocate the RM & RR Zone line as follows;

Beginning at a point 700' from the centerline of Lake street at the southerly lot line of lot 588-422-16 and the northerly lot line of lot 577-422-16L at the current location of the "RM & RR" zone line

Thence running along the lot line in a south westerly direction approximately 346.5'+/- to a point at lot 588-422-16D

Thence running along the lot lines of lots 588-422-16D, 588-422-16E & 588-422-16F in a north easterly direction approximately 374.5'+/- to a point at lot 588-422-16F

Thence running along the lot line in a north westerly direction approximately 49.9'+/- to a point at lot 588-422-16L

Thence running along the lot line of lot 588-422-16L in a north easterly direction 150'+/- to a point at lot 588-422-16L

Thence running along the lot lines of lots 588-422-16L & 588-422-16H in a north westerly direction approximately 304'+/- to a point at Lake Street

Thence running along Lake Street in a north easterly direction approximately 50.5'+/- to a point at lot 588-422-16J

Thence running along the lot lines of lots 588-422-16J & 588-422-16K in a south easterly direction approximately 304'+/- to a point at lot 588-422-16K

Thence running along the lot line of 588-422-16K in a north easterly direction approximately 200'+/- to a point at lots 588-422-16K, 588-422-20C & 588-422-20F

Thence running along the lot line of lot 588-422-20F in a south easterly direction approximately 389.5'+/- to a point 700' from the centerline of Lake Street at the current location of the "RM & RR" zone line at the common lot line of lots 588-422-20F & 588-422-16. Approximately 6.4+/- acres.

Intending to describe the proposed relocated zone line as depicted on the plan entitled "Plan of Land Parcel ID: 588-422-16 95 Lake Street Haverhill Massachusetts" dated December 9, 2014, scale 1"=60', prepared for Eileen Petrocelli, prepared by S.E.C. & Associates, Inc.

Robert D. Harb
ATTORNEY AT LAW
17 WEST STREET
HAVERHILL, MASSACHUSETTS 01830

Hearing / May 12
2015

TEL: (978) 373-5611
FAX: (978) 373-7441
EMAIL: bobharb@aol.com

Of Counsel
Alfred J. Cirome

March 13, 2015

7.2

City Council
City of Haverhill
4 Summer Street
Haverhill, MA 01830

Re: APPLICATION FOR A SPECIAL PERMIT
FOR A FOUR UNIT MULTIFAMILY DWELLING
UNNUMBERED AUBURN STREET
f/k/a 69 Auburn Street
Haverhill Assessor's Map 610 Block 491 Lot 15
Containing 14,000 Square Feet ±


Eric V. Dorman of 140 Hale Street, Haverhill, MA, hereby applies to the City Council for a Special Permit under the terms and provisions of the Haverhill Zoning Ordinance Chapter 255 to construct a four unit multifamily dwelling on Auburn Street on Assessor's Map 610 Block 491 Lot 15. Said premises was formerly known as 69 Auburn Street and is the same premises conveyed to the Applicant/Owner by deed recorded with the Essex South District Registry of Deeds in Book 32940 Page 452.

Said dwellings are to be sold as condominiums.

This Application is accompanied by:

30 sets of the Site Plan;
30 sets of the Specs and Building Plans;
A Legal Description; and the required filling fee.
Applicant waives the 60 day hearing requirement.

Respectfully submitted,



Robert D. Harb, Attorney For Eric V. Dorman



Eric V. Dorman

LEGAL DESCRIPTION

The land at 69 Auburn Street, Haverhill, Essex County, Massachusetts, bounded and described as follows:

Beginning at a stone bound at the southwesterly corner thereof by land now or formerly of Hutchins; thence:

- NORTHERLY by said Auburn Street one hundred fifteen (115) feet to land now or formerly of Crowell; thence
- EASTERLY by said land now or formerly of Crowell one hundred nine and one-third (109 1/3) feet to a stake by land now or formerly of the City of Haverhill; thence
- SOUTHERLY by said land now or formerly of the City of Haverhill and land now or formerly of Chesley one hundred twenty-four (124) feet to land now or formerly of Hutchins; thence
- WESTERLY by said land now or formerly of Hutchins, as the fence now stands, one hundred fourteen (114) feet to the point of beginning.

Being the same premises conveyed to Eric V.Dorman by deed of Frank W. Garwich, dated October 31, 2013, recorded with the Essex South District Registry of Deeds in Book 32940 Page 452.

Dorman-description



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date: FEB 27 2015

Honorable President and Members of the Municipal Council:

The Undersigned respectfully asks to receive a license for TAG DAYS:

Organization: HHS Tennis Applicant's Name: Emily Nguyen
Applicant's Residence: 51 Garrison Ave Applicant's Signature: Emily Nguyen

(3 Consecutive Days Only, One of which may include solicitation on a Public Way)

Date of Tag Day Request(s): April 17 2015 Date-solicitation on Public Way: N/A
Canister: Tag: Fee: \$ NC

Street Locations (Select Below):

Rosemont St and Main St:

Water St and Mill St:

South Main St & Salem St:
(Bradford Common)

Main St & Kenosha Ave:
(Monument Square)

Off Street Locations (Specify Other):

Market Baskets
Dunkin' Donuts
Chunky's

Recommendation by Police Chief: ☒ **Office Use Only**
 Approved
 Denied

Police Chief

Municipal Council:

Test:

City Clerk

10.2

4-7-15

The undersigned respectfully asks that he may receive a license for a

1. Coin-op

1000

1-1-15

12-31-15

100.00

Good Stuff Co. LLC

47-60 33rd St
Long Island, N.Y. 1101

Chicken Connection

242 Broadway

Richard Leblond

Wendy Gomez Applicant's Signature: Wendy

36 Kent St

See Back

Approved

Denied

Police Chief

In Municipal Council, _____

Attest:

City Clerk

SUNDAY

Date 4-7-15

Honorable President and Members of the Municipal Council:

The undersigned respectfully asks that he may receive a license for a

☒ COIN-OPERATED MACHINE1 Coin-op☐ PINBALL MACHINE☐ OTHEREffective Date: 1-1-15Expiration Date: 12-31-15

NEW/RENEWAL

Fee: 20.00Vendor's Name: Good Stuff Co. LLCVendor's Address: 47-00 33rd St
Long Island City N.Y. 11101Business Name: Chicken ConnectionBusiness Address: 242 BroadwayOwner's Name: Richard LeblondApplicant's Name: Wendy Gomez Applicant's Signature: Wendy GomezApplicant's Address: 36 Kent St HaverhillApplicant's Date of Birth: See Back

Recommendation by Police Chief

✓
Approved

Denied

MR. [Signature]
Police Chief

In Municipal Council, _____

Attest:

CITY CLERK

SUN 06 06 15 15

City Clerk

DECLARED



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date 12-10-14

HONORABLE PRESIDENT AND MEMBERS OF THE MUNICIPAL COUNCIL:

THE UNDERSIGNED RESPECTFULLY ASKS THAT HE MAY RECEIVE A LICENSE FOR **DRAINLAYER**

13.1

Drainlayer's Name: James Lynch Signature: [Signature]
Business Name: James T. Lynch Construction Company Inc.
Business Address: 77 Lowell Junction Road
City Andover State MA Zip 01844
Business Phone: (978) 664-3164 Fax: (978) 664-1574

Must Complete Additional Personal Information on Back

NEW/RENEWAL:

No. _____
Fee 1000.-
Bonds on File: [check]

Approved [check]
Denied _____

[Signature]
City Engineer

In Municipal Council, _____ 20____

Attest:

City Clerk

(See other side)



HAVERHILL

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

Date 1/5/15

HONORABLE PRESIDENT AND MEMBERS OF THE MUNICIPAL COUNCIL:

THE UNDERSIGNED RESPECTFULLY ASKS THAT HE MAY RECEIVE A LICENSE FOR **DRAINLAYER**

Drainlayer's Name: Charles Zahar Signature: Charles Zahar
Business Name: Charles Zahar
Business Address: 19 Locke Rd
City Chelmsford State MA Zip 01824
Business Phone: 978 804-7786 Fax: _____

Must Complete Additional Personal Information on Back

NEW/RENEWAL:

No. _____
Fee 100.-
Bonds on File: ✓

Approved ✓
Denied _____

Don H. [Signature]
City Engineer

In Municipal Council, _____ 20____

Attest:

City Clerk

(See other side)

4 Summer Street Haverhill, MA 01830 www.ci.haverhill.ma.us

20
Scotland Heights Realty Trust
66 Lockwood Lane
Boxford, Ma 01921
978-852-4518

January 16, 2015

Hearing March 17
2015

14.1

City of Haverhill
City Clerk
4 Summer Street
Haverhill, MA

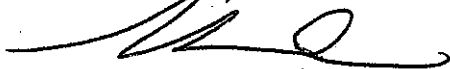
City Clerk

We are seeking Street Acceptance of three roadways in the subdivision known as Scotland Heights. They are Scotland Heights Road, Blye Road and a portion of Tersolo Road.

Attached are 30 sets of plans which have been reviewed by John Pettis and which we believe are complete. Also attached is a complete legal description.

We waive the time restriction of the approval process.

SINCERELY,



MICHAEL CROWE Trustee
Scotland Heights Realty Trust

IN CITY COUNCIL: January 27 2015 REFER TO PLANNING BOARD and
VOTED: that COUNCIL HEARING BE HELD
MARCH 17 2015

Attest:

Council Clerk



Haverhill

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@cityofhaverhill.com

March 13, 2015

TO: City Council President John J. Michitson and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

SUBJECT: Street Acceptance –Scotland Heights Road, Blye Road and (a portion of) Tersolo Road

On February 11, 2015, the Haverhill Planning board voted to send a favorable recommendation to the city council on the acceptance of the above referenced street as a public way. This roadway was part of a new subdivision approved by the Haverhill Planning Board and was constructed in accordance with an approved definitive plan. A bond was posted as surety that the improvements were constructed in accordance with the approved plan. By virtue of the fact that the bond has been reduced to a zero balance as recommended by the city engineer, and that all as-built plans have been reviewed and approved by the city engineer, and that the legal description of the roadway to be accepted has been approved by the City engineer. Then as required by the state subdivision control law the city council has been requested to accept Scotland Heights Road, Blye Road and a portion of Tersolo Road as public ways.

As Planning director, I concur with the planning boards action and recommend that the city council formally accept the above referenced streets as proposed.

Recommendation: Accept the streets as public ways as proposed.



CITY OF HAVERHILL
MASSACHUSETTS 01830

CITY HALL, ROOM 201
FOUR SUMMER STREET
HAVERHILL, MASSACHUSETTS 01830
TELEPHONE (978) 374-2330
FAX (978) 374-2315

PLANNING BOARD

March 10, 2015

City Council President John A. Michitson
& City Councilors
City of Haverhill

RE: Street Acceptance for Scotland Heights Road, Blye Road and a portion of Tersolo Road; Owner/Applicant, Scotland Heights Realty Trust

Members Present: Karen Peugh, Bill Evans, April DerBoghossian, Kenneth Cram, Jack
Everette, Bob Driscoll, Paul B. Howard

Members Absent: Krystine Hetel, Karen Buckley

Also Present: William Pillsbury, Jr., Economic Development & Planning Director
Lori A. Woodsum, Office Manager/Board Clerk

Dear City Council President Michitson & City Councilors:

The Haverhill Planning Board at its meeting held on 2/11/15, Wednesday Evening, at 7:00 P.M. in the City Council Chambers heard the above-cited street acceptance. Member Jack Everette read the rules for a public hearing and informed the people in the audience to leave their name and address if they wanted to be informed of any appeal taken for any hearings held at this meeting. Paul B. Howard chaired the meeting. The chairman asked the petitioner to come forward.

Planning Director William Pillsbury Jr., informed the board and anyone in the audience that this was a request from City Engineer John Pettis III. It was noted that the applicant has gone forward with the proper procedures to move this along to the next step of street acceptance. The planning board was requested to forward a recommendation to the city council on the acceptance of the streets known as Scotland Heights Road, Blye Road and a portion of Tersolo Road located in the RR & RM Zones. The Scotland Heights development is located off of River Street. These roads are part of a subdivision that was previously approved by this board. It was constructed in accordance with the approved definitive plan. It was noted that a bond was posted as surety and the improvements were constructed in accordance with the approved definitive plan. The bond has been reduced to a zero balance as recommended by the city engineer and that all as-built plans have been

**Street Acceptance for Scotland Heights Road, Blye Road and a
portion of Tersolo Road
2/11/15 Planning Board Meeting**

reviewed and approved by the city engineer, along with the legal description of the roadway to be accepted was also approved by the city engineer. It was noted that the board, as required by the City Code Chapter 222-1, the city council has been requested to accept Scotland Heights Road, Blye Road, and a portion of Tersolo Road as public ways.

Chairman Paul B. Howard asked if there was anyone else in the audience that wanted to speak on this street acceptance.

Elma Payson, 35 Tersolo Road came forward to speak. She wanted the board to hold off until the snow was gone. It was noted that she has had a terrible hump in front of her house and it had not been fixed. Now she has two humps (frost heaves) in front of her house at the intersection of Scotland Heights and Tersolo Road. She noted that there was still money on hand and would like it fixed. Ms. Payson mentioned the status of the sidewalk which is a major concern in front of her house.

Director Pillsbury noted that her house was not within the scope of this request for street acceptance and was recommending a favorable recommendation on this request for street acceptance. There will be clarification of any issues between now and then if any.

No one else came forward to speak. The public portion of the hearing was closed and opened up to questions from the board members.

Member Karen Peugh had a question... (Tape malfunction).

Director Pillsbury noted that the developer still had lots to construct on that road and the developer will have to deal with that.

Michael Crowe came forward to speak. He believed that the house is not part of the accepted streets. He did note that there was a concern with the driveway and thought that they dealt with that issue and hoped in the fall it will be done.

Director Pillsbury asked Mr. Crowe to look at the sidewalk issue.

Mr. Crowe answered yes, once the snow melts.

(Note that no one else came forward to speak on this agenda item.)

Chairman Paul B. Howard asked for a motion on the street acceptance for Scotland Heights Road, Blye Road and a portion of Tersolo Road.

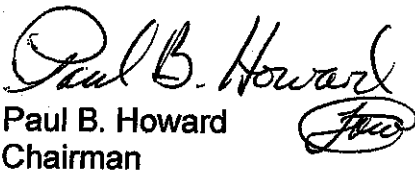
**Street Acceptance for Scotland Heights Road, Blye Road and a
portion of Tersolo Road
2/11/15 Planning Board Meeting**

MOTION

After board consideration Member Bob Driscoll motioned to forward a recommendation to the city council to accept the streets in question as recommended by the planning director. Member Kenneth Cram seconded the motion with Members Karen J. Peugh, Bill Evans, April DerBoghossian, Kenneth Cram, Jack Everette, Bob Driscoll and Paul B. Howard all voting in favor. Members Karen Buckley and Krystine Hetel were absent. Motion passed.

Any City department reports are attached to and considered part of this report and minutes.

Signed,


Paul B. Howard
Chairman

Attachments: City Department Reports

CC: Street Acceptance File for Scotland Heights Road, Blye Road and a portion of
Tersolo Road
Mayor James Fiorentini
William Cox, Jr., City Solicitor
City Clerk (original)
City Council (copy)
Applicant/Owner/Representative—scanned/& regular mail



Haverhill Fire Department

Fire Prevention / Investigation Unit



James J. Florentini
Mayor

Richard B. Borden
Fire Chief

D/C William F. Laliberty
Lieut. Richard Beaudoin
Insp. Steven Trocki

4 Summer St, Room 113
Tel: (978) 373-8480
Fax: (978) 521-4441

January 29, 2015

*Rec'd
1/30/15*

William Pillsbury, Planning Director
4 Summer Street, room 201
Haverhill, MA 01830

Re: Scotland Heights Road/ Biye Road/ Partial Tersolo Road Street Acceptance

The planning, design and construction of new buildings, renovation of existing buildings and structures to provide egress facilities, fire protection and built-in fire protection equipment shall be in accordance with 780 CMR; and any alterations, additions or changes in buildings required by the provisions of 527 CMR which in the scope of 780 CMR, 8th edition, shall be made in accordance therewith. (527 CMR 1.04(4) and 780 CMR 101.2)

Plans approved by the fire department are approved with the intent they comply in all respects to 780 CMR, 527 CMR, MGL Chapter 148 and any City of Haverhill ordinance. Any omissions or errors on the plans do not relieve the applicant of complying with applicable requirements.

I have reviewed the application for the Street Acceptance Request for the addresses stated above and in the interest of public safety, have the following comments:

- No Comments or concerns at this time.

Respectfully,

William F. Laliberty
Deputy Fire Chief



RECEIVED
JAN 30 2015

Econ Devlp & Planning
& B.O.A.

Haverhill

Economic Development and Planning

Conservation Department

Phone: 978-374-2334 Fax: 978-374-2366

rmoores@cityofhaverhill.com

conservation@cityofhaverhill.com

MEMO TO: William Pillsbury, Economic Development and Planning Director
FROM: Robert E. Moore, Jr., Environmental Health Technician
DATE: January 30, 2015
RE: Street Acceptance
Scotland Heights Realty Trust for Scotland Heights, Blye, and Tersolo (portion) Roads

The Commission reviewed the forwarded information relative to the subject application at its January 29th meeting. The Conservation Commission offers no objections to the proposed street acceptance request.

Sent to
✓ City Dept 3



For Scotland Hgts Rd.
Blye Road +
Portion of Terasolo Rd.

CITY OF HAVERHILL
MASSACHUSETTS 01830.

CITY HALL, ROOM 201
FOUR SUMMER STREET
HAVERHILL, MASSACHUSETTS 01830
TELEPHONE 374-2330
FAX 374-2315

STREET ACCEPTANCE
REQUEST FOR COMMENTS*

*COMMENTS DUE BY: 1 / 30 / 15

TO:

- ✓ Fire Chief – Room 113
- ✓ Board of Health Chairperson & Members – Room 210
- ✓ Conservation Commission & Members – Room 210
- ✓ Building Inspector – Room 210
- ✓ Police Chief – Room 106 (Mail Slot)
- ✓ _____, Highway & Park Superintendent – Room 106 (Mail Slot)
- ✓ ✓ _____ Water/Wastewater Director – Room 214 (Mail Slot)
- ✓ John Pettis, III, City Engineer – Room 214
- ✓ Superintendent of Schools – Room 104

FROM: William Pillsbury, Planning Director/Grants Coordinator – Room 201

DATE: 1 / 20 / 15

RE: Street Acceptance Application of: Michael Crowe / Scotland Hgts City Trust
Street Location: Scotland Hgts Rd, Blye Road + Portion of Terasolo Road
Submission/Revised Submission Number: 1st

THE PLANS AND APPLICATION FORM ATTACHED TO THIS TRANSMITTAL LETTER, AS NOTED ARE FOR THE CITED STREET ACCEPTANCE APPLICATION RECEIVED FROM THE CITY COUNCIL/APPLICANT ON 1 / 20 / 15. PLEASE BE SO KIND AS TO REVIEW THE ATTACHED PLANS AND PROVIDE YOUR RESPECTIVE REPORTS TO:

THE PLANNING DEPARTMENT, CITY HALL, ROOM 201, no later than the due date listed below:

RESPECTIVE COMMENTS DUE BY: 1 / 30 / 15

Planning
Hearing March 11
2015
Scotland Heights Realty Trust
66 Lockwood Lane
Boxford, Ma 01921
978-852-4818

January 16, 2015

Planning Board Hearing
2-11-15

City of Haverhill
City Clerk
4 Summer Street
Haverhill, MA

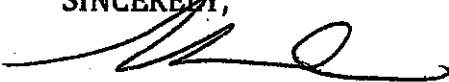
City Clerk

We are seeking Street Acceptance of three roadways in the subdivision known as Scotland Heights. They are Scotland Heights Road, Blye Road and a portion of Tersolo Road.

Attached are 30 sets of plans which have been reviewed by John Pettis and which we believe are complete. Also attached is a complete legal description.

We waive the time restriction of the approval process.

SINCERELY,



MICHAEL CROWE Trustee
Scotland Heights Realty Trust

11/11/11 11/11/11 11/11/11 11/11/11 11/11/11
Scotland Heights Realty Trust
66 Lockwood Lane
Boxford, Ma 01921
978-852-4518 gnf-420-36

January 16, 2015 2015

City of Haverhill
City Clerk
4 Summer Street
Haverhill, MA

City Clerk

* Street order
please by
March 9 2015

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Attached are 30 sets of plans which have been reviewed by John Pettis and which we believe are complete. Also attached is a complete legal description.

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MICHAEL CROWE Trustee
Scotland Heights Realty Trust

Legal Description

Scotland Heights Road

Beginning at a stone bound located at the southeasterly end of Scotland Heights Road, thence running N 74°30'08"W, 124.35' to a stone bound, thence by a curve to the left with a radius of 315.00', a length of 170.43' to a stone bound, thence S 74°29'52"W, 190.00' to a stone bound, thence by a curve to the right with a radius of 300.00' a length of 507.89' to a stone bound, thence N 08°30'08"W, 200.00' to stone bound, thence by a curve to the right with a radius of 315.00', a length of 130.60' to a stone bound, and the sideline of Blye Road, thence northeasterly by the sideline of Blye Road to a stone bound, thence by a curve to the right with a radius of 315.00', a length of 182.93' to a stone bound, thence

N 65°29'52"E, 50.00' to a stone bound, thence by a curve to the right with a radius of 600.00', a length of 152.27' to a Capped Iron Rod, thence N 80°02'17"E, 238.88' to a stone bound, thence by a curve to the left with a radius of 25.00', a length of 36.61' to a stone bound and the sideline of Tersolo Road, thence southerly by the sideline of Tersolo Road to stone bound, thence by a curve to the left with a radius of 25.00', a length of 41.93' to a stone bound, thence S 80°02'17"W, 228.20' to a stone bound, thence by a curve to the left with a radius of 550.00', a length of 139.58' to a stone bound, thence S 65°29'52"W, 50.00' to a stone bound, thence by a curve to the left with a radius of 265.00' a length of 342.26' to a stone bound, thence S 08°30'08"E, 200.00' to a Capped Iron Rod, thence by a curve to the left with a radius of 250.00' a length of 423.24' to a stone bound, thence N 74°29'52"E, 190.00' to a stone bound, thence by a curve to the right with a radius of 365.00', a length of 136.59' to a stone bound, and the sideline of Tersolo Road, thence southeasterly by the sideline of Tersolo Road to stone bound, thence S 74°30'08"E, 140.59' to a drill hole, thence southwesterly along the southerly end of Scotland Heights Road to a stone bound and the point of beginning.

Meaning and intending to describe Scotland Heights Road as shown, in its entirety, from station 0+00 to Station 20+73.83, on recorded Plan Book 305 Plan 45, and revisions shown in Plan Book 345 Plan 9, filed in the South Essex Registry of Deeds. Containing 101,210 ±S.F.

Blye Road

Beginning at the southeasterly end of Blye road at a stone bound located at the westerly side line on Scotland Heights Road, thence by a curve to the left with a radius of 25.00', a length of 37.63' to a stone bound, thence N 71°00'03"W, 355.65' to a stone bound, thence by a curve to a left with a radius of 25.00', a length 23.55' to a stone bound, thence by a curve to the right with a radius of 60.00' a length of 301.47' to a Capped Iron Rod, thence by a curve to the left with a radius of 25.00' a length of 23.55' to a stone bound, thence S 71°00'03"E, 363.95' to a stone bound, thence by curve to the left with a radius of 25.00', a length of 33.50' to a stone bound, and the side line of Scotland Heights Road, thence southwesterly by the westerly side line of Scotland Heights Road to a stone bound, and the point of beginning. Containing 31,171 ±S.F.

Meaning and intending to describe Blye Road in its entirety from station 0+00 to station 5+35, as shown on recorded Plan Book 305 Plan 45, filed in the South Essex Registry of Deeds.

Tersolo Road

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Meaning and intending to describe a portion of Tersolo Road from station 0+00 to Station 9+11.81, shown in recorded Plan Book 305 Plan 45 with revisions in Plan Book 345 plan 9 filed in the South Essex Registry of Deeds.

A complete description can be found on a Street Acceptance plan prepared for Scotland Heights Realty Trust, prepared by Northpoint Survey Services, dated 10/24/2014, to be recorded with this document

#4



CITY OF HAVERHILL
MASSACHUSETTS 01830

**Haverhill Planning Board Agenda
2/11/15 Planning Board Meeting**

CITY HALL, ROOM 201
FOUR SUMMER STREET
HAVERHILL, MASSACHUSETTS 01830
TELEPHONE (978) 374-2330
FAX (978) 374-2315

PLANNING BOARD

The Haverhill Planning Board will hold its public hearing on **WEDNESDAY, February 11, 2015 at 7:00 P.M. in Room 202, Haverhill City Hall** to hear the petitions listed below. (See files in the Planning Dept. for further information.)

1. **Definitive Plan for Delhaven Estates**—The owner/applicant, Jr Builders, Inc./Lawrence Palmisano requests planning board approval to construct 7 single family homes at 1264 Broadway, Map 540, Block 446, Lot 7 in the RR Zone. (Continued from 9-10-14, 10/8/14, 11/12/14, 12/10/14, 1/10/15)
2. **Special Permit for 46-50 Primrose Street**—The owner/applicant 194 Main Street Realty Trust, requests that the planning board forward a recommendation to the City Council to construct 5 condominium units in 2 buildings at the cited location.
3. **Frontage Waiver for 125 Pilling Street**—The owner/applicant, Rose Hicks, has requested planning board approval for lot frontage of 70' where 75' is required in the RH Zone.
4. **Scotland Heights Street Acceptance**—The owner/applicant, Scotland Heights Realty Trust, requests street acceptance for Scotland Heights Road, Blye Road and a portion of Tersolo Road in the RR & RM Zones.
5. **Performance Guarantees**
 - 5a). **Back Nine Drive and Front Nine Drive @ Crystal Springs Definitive Escrow**—the developer has requested to reduce the amount being held to guarantee completion of work within the cited development.
 - 5b). **Islington Crossing Definitive Escrow** – Reduction requested by the developer to reduce the amount being held to guarantee completion of work within the cited development.
 - 5c). **Cobblestones @ Bradford/Comanche Circle Definitive Escrow**—Request for board endorsement of the tripartite agreement (revised agreement).
6. **Form A Plans (Approval Not Required):**
Merrimac Road, Bitterroot LLC C/O Robert Nixon, mgr.
Any Definitive Plan Mylar's along with any Frontage Waiver Mylar's, if any
7. **Any other matter: if any**

Signed,

Paul B. Howard
Paul B. Howard
Chairman

CC: Files cited above
Mayor Fiorentini
City Clerk
City Departments
Owners/applicants/abutters
Engineers/Surveyors
Copies to the cited files
Community Development 309
Mary E. Roy, City Treasurer/Tax Collector

RECEIVED
2015 FEB 5 AM 11 28
CITY CLERK'S OFFICE
HAVERHILL, MA



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

14.2

IT APPEARING that the common convenience and necessity require it,

It is hereby
That the following streets herein described be accepted as a
Public Ways

Scotland Heights Rd, Blye Rd, and Tersolo Rd

Scotland Heights Road

Beginning at a stone bound located at the southeasterly end of Scotland Heights Road, thence running N 74°30'08"W, 124.35' to a stone bound, thence by a curve to the left with a radius of 315.00', a length of 170.43' to a stone bound, thence S 74°29'52"W, 190.00' to a stone bound, thence by a curve to the right with a radius of 300.00' a length of 507.89' to a stone bound, thence N 08°30'08"W, 200.00' to stone bound, thence by a curve to the right with a radius of 315.00', a length of 130.60' to a stone bound, and the sideline of Blye Road, thence northeasterly by the sideline of Blye Road to a stone bound, thence by a curve to the right with a radius of 315.00', a length of 182.93' to a stone bound, thence

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20-2
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DOCUMENT

CITY OF HAVERHILL

In Municipal Council

15.1

ORDERED:

That the Community Choice Power Supply Plan be and is herewith approved.



CITY OF HAVERHILL COMMUNITY CHOICE POWER SUPPLY PROGRAM AGGREGATION PLAN

**PREPARED BY
COLONIAL POWER GROUP, INC.**

PURPOSE OF THE AGGREGATION PLAN

The City of Haverhill ("City") developed this Aggregation Plan ("Plan") in compliance with Massachusetts law regarding public aggregation of electric consumers. It contains required information on the structure, operations, services, funding, and policies of the City's Plan. The Plan has been developed in consultation with an aggregation implementation consultant (Consultant), initially Colonial Power Group, Inc. (CPG) and the Massachusetts Department of Energy Resources (DOER).

The purpose of this Plan is to represent consumer interests in competitive markets for electricity. It seeks to aggregate consumers in the City to negotiate rates for power supply. It brings together the buying power of over 62,000 consumers. Furthermore, the City seeks to take control of energy prices. Participation is voluntary for each eligible consumer. Eligible consumers have the opportunity to decline service provided through the Plan and to choose any Competitive Supplier they wish. Based on enrollment figures from previous community aggregations, CPG anticipates that 97% of the eligible consumers will participate. The City has distributed this Plan for public review prior to submitting it to the Massachusetts Department of Public Utilities ("Department").

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REQUIREMENTS FOR MUNICIPAL AGGREGATION

The Massachusetts Electric Utility Restructuring Act of 1997 ("Restructuring Act") contains several requirements for municipal aggregators. One requirement is to develop an aggregation plan in consultation with the DOER. The Plan is subject to review by consumers in the participating municipality and approval by the Department.

1 THE PROCESS OF MUNICIPAL AGGREGATION

Municipal aggregation involves a multi-step public process as follows:

- 1.1 Vote and Authorization to become a Public Aggregator
- 1.2 Development of Plan in Consultation with DOER
- 1.3 Review of Plan by Mayor, City Council and Consumers
- 1.4 Vote on Plan by City Council
- 1.5 Submission of Plan for Department Approval
- 1.6 Public Hearing on Plan by Department
- 1.7 Selection of Date for Receipt of Price Terms from Competitive Suppliers
- 1.8 Selection of Competitive Supplier by Mayor
- 1.9 Notification of Enrollment for Eligible Consumers
- 1.10 Beginning of Opt-Out Period (30 days prior to first service date)
- 1.11 Transfer of Participating Consumers to Competitive Supplier

In addition to this process, municipal aggregators must comply with open meeting laws, ethical rules, and certain public bidding and information requirements.

2 HAVERHILL'S COMMUNITY CHOICE POWER SUPPLY PROGRAM

The City offers one program to achieve its goals: Haverhill's Community Choice Power Supply Program ("Program"). The Program provides professional representation on behalf of consumers in state proceedings and in regional or local forums to protect consumer interests in an evolving marketplace.

The Program is designed to offer competitive choice to eligible consumers and to gain other favorable economic and non-economic terms in service contracts. The City does not buy and resell power, but represents consumer interests to set the terms for service. Through a competitive bid and negotiation process, the City develops a contract with a Competitive Supplier for firm, all-requirements service. The contract runs for a fixed term. The process of contract approval contains checks and balances. Once the contract has been negotiated by the City's agent, it must be submitted to the Mayor for approval. And lastly, eligible consumers may opt-out of the Program, and select Basic Service or power supply from any other Competitive Supplier they wish at any time before or following their enrollment in the City's Program. No eligible consumer is required to receive service under the City's contract. [See Section 4.1.6 for detailed information on the opt-out process.]

2.1 ORGANIZATIONAL STRUCTURE

The City's government is led by a nine person City Council. Daily operations are overseen by a Mayor. City elections are held the first Tuesday in November.

The City Council is composed of nine members elected for two year terms. They meet every Tuesday evening at 7:00 P.M. at City Hall. They may also hold other meetings from time to time. The City Council acts as the City's Chief Executive Body responsible for the general welfare of the community. Specific powers and responsibilities of the City Council are set forth in the City Charter. The operational role of the City and its agent in relation to consumers is outlined and described in the following pages.

2.2 OPERATIONAL LEVELS

There are five operational levels to the City's Program as follows:

2.2.1 Level One: Consumers

Consumers hold the ultimate authority over the Program and its functions. They can elect candidates for the City Council who may take positions regarding the Program. They can

participate in local and regional meetings and hearings regarding issues related to restructuring in general and the City's Program in particular. And they can attend meetings to express their views.

Every eligible consumer in the City may participate in the City's Program. All eligible consumers will also have the ability to decline service through the Competitive Supplier and choose any other power supply option they wish or remain with the Local Distributor, National Grid (NGRID). Eligible consumers who are dissatisfied with services provided under the contract negotiated by the City may also communicate directly with the Competitive Supplier or the Consultant retained by the City to assist with the implementation of the Plan via e-mail or toll-free telephone number in an effort to alter or otherwise improve service. Eligible consumers may also opt-out at any time by contacting the Competitive Supplier. Eligible consumers may also bring issues before the City Council.

2.2.2 Level Two: City Council

Based upon its existing authority or authority provided by voters at City elections, the City Council may act on program and policy issues and contract recommendations. In addition, it may provide instructions to the City's agent regarding specific policy or program decisions to be made under the Program. It may also raise issues directed to it by consumers for the City to address.

2.2.3 Level Three: Mayor

The Mayor carries out the collective decisions and instructions of the City Council and participating consumers.

2.2.4 Level Four: Consultant

As the City's agent, the Consultant shall provide the day-to-day management and supervision of the business affairs of the Program under a contract agreement. The Consultant shall serve as the City's procurement agent, utilizing its existing staff to solicit services as requested by the City. In addition, the Consultant provides office space and administrative support to coordinate the Program's operations.

This administrative support includes:

- communications;
- program development;
- recordkeeping; and
- program oversight and maintenance.

2.2.5 Level Five: Competitive Suppliers

Competitive Suppliers contract with the City through its Mayor. The contract is negotiated, recommended, and monitored for compliance by the Consultant. No contract is binding until it is approved by the Mayor. The complete set of Competitive Supplier responsibilities is found in the Electric Service Agreement (ESA) between the City and the Competitive Supplier.

2.3 OPERATIONS

The Program's operations are guided by the provisions and goals contained in this Plan and the instructions and decisions of the Mayor, the Consultant, and participating consumers.

The goals of this Plan are as follows:

- provide the basis for aggregation of eligible consumers on a non-discriminatory basis;
- acquire a market rate for power supply and transparent pricing;
- provide equal sharing of economic savings based on current electric rates;
- allow those eligible consumers who choose not to participate to opt-out;
- provide full public accountability to participating consumers; and
- utilize municipal and other powers and authorities that constitute basic consumer protection to achieve these goals.

2.4 STAFFING AND MANPOWER

The operations necessary to plan, deliver, and manage the City's Program include:

- technical analysis;
- competitive procurement of services;
- regulatory approvals;
- accounting and fiscal management;
- contract maintenance;
- communications;
- program coordination; and
- administrative support.

The City intends to utilize the Consultant as the professional, technical, and legal consultant to operate the Program. The Consultant is a licensed broker of electricity in Massachusetts (EB-107). The Consultant has experience designing, implementing and administering opt-out municipal aggregation programs.

The Consultant will be responsible for monitoring all aspects of the Program and any resulting contractual agreements, including but not limited to: monitoring and reporting on compliance with all contract terms and conditions, resolution of contract issues, implementation of the opt-out process for consumers, participation in negotiations with NGRID, preparation of reports, as directed, and routine updates and attendance at meetings with the Mayor and City Council.

The Program has been developed on behalf of the City by the Consultant with the support of technical consultants and legal counsel. Once a contract has been secured, the Consultant will administer the Program.

The Consultant will undertake negotiations with Competitive Suppliers and provide representation at the state level, as needed, at the direction of the Mayor and City Council. The terms and conditions of any contract may be subject to review by the City Solicitor, as well as by any outside legal counsel which may be selected by the City, and may be further subject to the City Solicitor's approval as to legal form.

3 FUNDING

Initial funding for City's Program comes from private capital supplied by CPG. The ESA with a Competitive Supplier will include a maximum not to exceed \$0.001/kWh adder that will be paid by the Competitive Supplier to the Consultant. The \$0.001/kWh adder will fund the on-going costs of the Program. The start-up costs, to be borne by the Consultant, include costs for legal representation, public education, and communications. Mailing costs will be borne by the Competitive Supplier.

4 ACTIVATION AND TERMINATION

4.1 ACTIVATION

Following the process of municipal aggregation and competitive procurement of a proposed contract by the City, activation of the Program requires the following steps:

- a) Approval of Plan by Department
- b) Acceptance of ESAs by City Council and Mayor
- c) Signing of ESA by City Council and Mayor
- d) Notification of Enrollment for Eligible Consumers
- e) Notification of NGRID
- f) Beginning of Opt-Out Period
- g) Transfer of Participating Consumers to Competitive Supplier

Each of these steps is described as follows:

4.1.1 Approval of Plan by Department

The City, through its agent, shall file this Plan with the Department. The Department is required to hold a public hearing on the Plan.

4.1.2 Acceptance of ESAs by City Council and Mayor

All contracts negotiated by the City shall be expressly conditioned upon the acceptance of the contract by the Mayor. Competitive Suppliers and contracts must comply with all applicable laws and rules and regulations promulgated by the Department concerning Competitive Suppliers.

4.1.3 Signing of ESA by City Council and Mayor

With the signing of the contract by the Mayor, the terms and conditions in the contract will be utilized for service for eligible consumers within the municipal boundaries of the City, except for those eligible consumers who have selected a Competitive Supplier prior to the contract activation date and do not wish to switch to service under the City's contract, or those eligible consumers who affirmatively opt-out of the Program.

4.1.4 Notification of Enrollment for Eligible Consumers

Following approval of the contract by the City, the Competitive Supplier shall undertake notification of all eligible consumers on Basic Service to be enrolled. NGRID will inform the Competitive Supplier and the Consultant as to which consumers are on Basic Service and which consumers are receiving power from third-party suppliers. NGRID will electronically transmit the name, address and account of eligible consumers and run this data just prior to the meter read at which the change to the Competitive Supplier is set to occur to ensure that no consumers contracted with third-party suppliers are enrolled. Only current Basic Service consumers will be sent opt-out notices. The City may also generally notify all consumers receiving competitive service of their eligibility to receive power from the City's Competitive Supplier. Once the appropriate notification has been provided to the eligible consumer and applicable opt-out requirements met, the Competitive Supplier will electronically enroll the eligible consumer by submitting an "enroll customer" transaction to NGRID in accordance with the rules and procedures set forth in the EBT Working Group Report, which is applicable to all Competitive Suppliers and distribution companies in Massachusetts.

The process of notification shall be multi-layered and will include:

- mailings by the City
- newspaper notices;
- public service announcements (PSAs); and
- notices posted in City Hall.

Prior to enrollment, this notification shall:

- inform eligible consumers they have the right to opt-out of the aggregated entity without penalty and choose Basic Service at any time before or after their first day of service;
- prominently state all charges to be made and a comparison of the price and primary terms of the City's contract compared to the price and terms of NGRID's Basic Service;
- explain the opt-out process; and
- provide written notification that no charges associated with the opt-out will be made by the Competitive Supplier.

When a new eligible consumer first moves to the City, the eligible consumer will not be assigned to the City's Competitive Supplier until the Competitive Supplier submits an "enroll customer" transaction. Prior to such "enroll customer" transaction, the eligible consumer shall receive Basic Service. The Competitive Supplier is responsible for including new eligible consumers in the Program as they move into the City by the requesting electronic transmittals on a quarterly basis from NGRID, notifying and enrolling per the procedures followed for the initial enrollment.

The approximate timing of the major procedural steps related to the notification of consumers is as follows:

Day 1	Supply contract executed between City and Competitive Supplier
Day 2	Competitive Supplier notifies NGRID to prepare City eligible consumer data
Day 3	Competitive Supplier begins EDI testing with NGRID
Day 14	Competitive Supplier receives eligible consumer data from NGRID
Day 18	CPG and/or Competitive Supplier mails opt-out notice to all eligible consumers
Day 19	30-day opt-out period begins on date of postmark
Day 21	Eligible consumers receive mail
Days 21-51	Consumers wishing to opt-out return pre-paid reply card to Competitive Supplier

Day 33	Competitive Supplier completes EDI testing with NGRID
Day 52	Competitive Supplier removes opt-outs from eligible list
Day 53	Competitive Supplier sends "supplier enrolls customer" EDI for all participating consumers

Participating consumers are enrolled with supplier on the next meter read, provided that the enrollment transaction is submitted no fewer than two full business days before the meter read.

Our experience with previous aggregation programs suggests that the City, Competitive Supplier and NGRID need about two months to complete the consumer notification and enrollment process.

The procedures described above may also be found in NGRID's Terms and Conditions for Municipal Aggregators, M.D.T.E. No. 1104-A, as amended or superseded from time to time. These procedures were discussed in numerous meetings between CPG and NGRID.

The methods by which eligible consumers will be enrolled in the Program are consistent with NGRID's Terms and Conditions for Competitive Suppliers, M.D.P.U. No. 1180, as amended or superseded from time to time.

4.1.5 Notification of NGRID

Along with notification of eligible consumers, the City shall notify the selected Competitive Supplier and NGRID to begin preparation of the administrative process to transfer eligible consumers coincident with each eligible consumer's billing cycle. Alternatively, or in combination with the City notification, the selected Competitive Supplier may notify NGRID to begin preparation of the administrative process.

4.1.6 Beginning of Opt-Out Period

Eligible consumers may opt-out of service from the Program at no charge either in advance of service start up deadlines or at any time after the first day of service. Participating consumers who seek to return to NGRID's Basic Service should provide notice to the Competitive Supplier and/or NGRID five or more business days before the next scheduled meter read date. Pursuant to NGRID's Terms and Conditions for Municipal Aggregators, M.D.T.E. 1104-A, participating residential consumers will be transferred to NGRID's Basic Service in two business days if they directly notify NGRID of the intent to terminate generation service from the Competitive Supplier. If a commercial or industrial consumer directly notifies NGRID of the choice to terminate generation service from the Competitive Supplier, the generation service shall be terminated on the date of the customer's next scheduled meter read. If a residential, commercial, or industrial customer notifies the Competitive Supplier of the choice to terminate receipt of

generation service, the termination shall take place on the date of the customer's next scheduled meter read, so long as the Competitive Supplier has submitted the transaction to NGRID no fewer than two business days prior to the meter read date. There shall be no charge for returning to NGRID's Basic Service in this manner. Further opportunities for eligible consumer opt-out may be negotiated by the City and the Competitive Supplier and included in the terms of the contract presented to the City Council, the Mayor, and made part of the public information offered to each eligible consumer. Eligible consumers who opt-out and subsequently wish to enroll may be enrolled at the Competitive Supplier's discretion and pursuant to NGRID's Terms and Conditions for Competitive Suppliers, M.D.P.U. No. 1180, as amended or superseded from time to time.

4.1.7 Transfer of Participating Consumers to Competitive Supplier

The process of activation is an administrative function with three parts:

- a) Data Preparation: NGRID will identify all eligible consumers on Basic Service in the City by eliminating those who have already selected a Competitive Supplier.
- b) Automatic Enrollment: All verified eligible consumers shall be transferred to the City's Competitive Supplier coincident with NGRID's billing periods, unless they have previously sent in notification of their intent to opt-out according to established deadlines. Eligible consumers will be enrolled with the new Competitive Supplier over the period of one month. Service under the new Competitive Supplier shall begin at the start of the billing period following transfer.
- c) Notification: NGRID shall notify each transferred participating consumer of the change to the City's Competitive Supplier with its last bill for Basic Service.

4.2 TERMINATION

The Program may be terminated in two ways:

- upon contract termination or expiration without any extension, renewal, or subsequent contract being negotiated; or
- at the decision of the City Council and Mayor to dissolve the Program.

Each participating consumer receiving service under the City's Program will receive notification of termination of the Program 90 days prior to such termination.

In the event of contract termination, participating consumers would return to NGRID's Basic Service or choose a Competitive Supplier.

5 METHODS FOR ENTERING AND TERMINATING AGREEMENTS

The City's process for entering, modifying, enforcing, and terminating all agreements associated with the Program shall comply with the requirements of the City's charter, and state and federal laws. Where required, the procedures outlined in M.G.L. c. 30B shall be followed. Other agreements shall be entered, modified, or terminated in compliance with the law and according to the express provisions of the relevant agreement.

Prior to the end of the initial ESA, the Consultant will be responsible for conducting a subsequent bidding process for a new ESA. The Mayor is responsible for executing a new ESA. Customers will be notified through press releases and public notices. New opt-out notices will not be mailed. The City will not use on-bill messaging or bill inserts. However, NGRID may include on-bill messaging notifying consumers of a supplier switch. The transfer of customers from the existing supplier to the new supplier is conducted by the new supplier in coordination with NGRID using established EDI protocols.

The City will notify NGRID of the planned termination or extension of the program. In particular, the City will provide NGRID notice:

- 60 days prior to a planned termination of the program;
- 90 days prior to the end of the anticipated term of the program's ESA; and
- four business-days after the successful negotiation of a new electricity service agreement.

6 RATE SETTING, COSTS, AND BILLING

The City will offer the Program at rates and terms to be negotiated with Competitive Suppliers. All Competitive Supplier charges to the participating consumer will be fully and prominently disclosed under the notification process.

NGRID shall continue to provide metering, billing, and maintenance of the distribution system as a regulated monopoly function. Charges for metering, billing and other distribution services shall be regulated by the Department, unless otherwise provided for in law, or Department rules and regulations.

6.1 RATE SETTING

Under Department orders, NGRID assigns the rate classification and corresponding character of service and associated regulated rates. These rates include a monthly customer charge, a

distribution charge, a transmission charge, a transition charge, an energy conservation charge, and a renewable energy charge that currently make up a portion of a the ratepayer's bill. Although the City, or its agent, may participate in regulatory proceedings and represent the interests of ratepayers regarding these regulated rates, it will not assign or alter existing rate classifications without the approval of the Department. [See Section 6.3 for an example of a typical residential bill.]

The focus of the City, as noted above, will be acquisition of competitive prices and terms for power supply. This price, or prices, will be set through the competitive bid and negotiation process, and will be noted on the participating consumer's bill as the "generation charge".

The competitive bid process will seek prices that will differ among the rate classifications established by NGRID's tariffs. The terms and conditions of service may also vary among rate classifications.

6.2 COSTS

There is no cost to eligible or participating consumers. The Program funding will be derived from a \$0.001/kWh commission fee payable by the Competitive Supplier to the Consultant.

In addition, the City may fund personnel costs associated with an Energy Manager position(s), of which one of the responsibilities would be to assist with the Aggregation Program, through an Operational Adder equivalent of up to \$0.001/kWh payable by the Competitive Supplier to the City.

6.3 BILLING

Participating consumer billing under the City's Program will be made by the Competitive Supplier under contract and shall be incorporated into the standard monthly utility billing. Participating consumers will receive a "complete bill" from NGRID that incorporates the power supply charge and NGRID's delivery charges. The bill shall include a clear delineation of all regulated and non-regulated charges.

The typical residential "complete bill" for use of 500 kWh shows the following charges for NGRID's Basic Service in January 2015:

For Customer With Monthly Usage of 500 kWh		
	Rate (\$/kWh)	Charge
Delivery Services Detail (Rate: R1)		

Customer Charge		4.00
Distribution Charge	0.03697	18.49
Transition Charge	0.00106	0.53
Transmission Charge	0.02304	11.52
Energy Efficiency Charge	0.01004	5.02
Renewable Energy Charge	0.00050	0.25
Total Delivery Services		\$ 39.81
Supplier Services Detail (Rate: Basic Service)		
Generation Services Charge	0.16273	81.37
Total Supplier Services		\$ 81.37
Average Bill Total		
		\$ 121.17

Sources: http://www.nationalgridus.com/masselectric/non_html/MA_Residential_Table.pdf
http://www.nationalgridus.com/masselectric/non_html/rates_tariff.pdf

Accessed January 31, 2015

7 UNIVERSAL ACCESS

“Universal access” is a term derived from the traditional regulated utility environment in which all consumers desiring service receive that service. The DOER’s Guide to Municipal Electric Aggregation in Massachusetts has defined universal access to mean “electric services sufficient for basic needs (an evolving bundle of basic services) available to virtually all members of the population regardless of income.” The Guide also provides that a municipal aggregation plan meets the requirement of universal access “by giving all consumers within its boundaries the opportunity to participate, whether they are currently on Basic Service or the supply service of a Competitive Supplier.” For the purposes of the City’s Program this will mean that all existing consumers within the borders of the City and all new consumers in the City shall be eligible for service from the Competitive Supplier under the terms and conditions of the contract. One of the City’s goals, as indicated in Section 2.3, is to “Provide the basis for aggregation of eligible consumers on a non-discriminatory basis”.

Service under the City’s Program shall include rate classifications in adherence with universal service principles and requirements, and the traditional non-discriminatory practices of local government. Contracts with all Competitive Suppliers shall contain provisions to maintain these principles and equitable treatment of all rate classifications.

Eligible existing consumers in the City shall be transferred to the Program unless they have already contracted with a Competitive Supplier or affirmatively opted-out of the Program.

Eligible low-income consumers shall remain subject to all existing provisions of state law regarding their rights to return to Basic Service and to participate in the Program as well.

New Eligible consumers in the service territory shall be enrolled in the Program unless they already contracted with a Competitive Supplier or affirmatively opted-out of the Program. New Eligible consumers will retain the right to opt-out any time after the commencement of Program service.

8 EQUITABLE TREATMENT OF RATEPAYERS

All ratepayers will be treated equitably. They will be guaranteed the right to raise and resolve disputes with the Competitive Supplier, be provided all required notices and information, and always retain the right to opt-out of the City's Program as described herein or to switch Competitive Suppliers. The requirement of equitable treatment of all ratepayers does not, however, require that all ratepayers be offered the same pricing or terms and conditions. To impose such an interpretation to the statutory requirements governing municipal aggregation programs would, in effect, result in inequitable treatment, as attempting to apply identical prices, terms, and conditions to ratepayers with widely disparate characteristics would have the inevitable effect of giving some ratepayers more favorable service than others. The implementation of the Program will recognize this reality through appropriate distinctions in pricing and, where applicable, terms and conditions among ratepayers.

9 RELIABILITY

"Reliability" in power supply and in transmission and distribution is essential to consumers. This will be accomplished and reinforced by the Program at several levels through:

- provisions of the contract that will include language on reliability of supply, liability and damages provisions;
- traditional proceedings related to NGRID's regulated transmission and distribution services; and
- direct discussions with NGRID concerning specific or general problems related to quality and reliability of transmission and distribution service in the City.

10 RIGHTS AND RESPONSIBILITIES OF PARTICIPANTS

10.1 RIGHTS

All participating consumers shall enjoy the protections of law afforded to them as they currently exist or as they may be amended from time to time. These include rights to question billing or

service quality or service practices. Under protocols developed by the Department, problems related to billing or service shall be directed to the appropriate parties. All eligible consumers shall also enjoy the individual right to decline participation in the City's Program.

10.2 RESPONSIBILITIES

All participating consumers shall meet all standards and responsibilities required by the Department, including payment of billings and access to essential metering and other equipment to carry out utility operations.

11 BENEFITS OF MUNICIPAL AGGREGATION

The Program functions under the restrictions of state law and reflects a range of results and opportunities:

11.1 PARTICIPATION IN COMPETITIVE MARKET

Many consumers lack knowledge and leverage to negotiate terms for power supply. A municipal aggregator provides them with an option for professional representation and the leverage of a large group so that they may participate more effectively in the competitive process and achieve benefits.

11.2 SELECTION OF ALTERNATE SUPPLIER

Because the law guarantees the right to opt-out, including the right to choose Basic Service at no charge, all eligible consumers have the right to select a Competitive Supplier other than the one chosen by the Mayor and City Council.

11.3 INDEMNIFICATION AND RISK ASSOCIATED WITH COMPETITIVE MARKET

In a competitive market, it is possible that the failure of a Competitive Supplier to provide service may result in the need for participating consumers to acquire alternative power supply, or for participating consumers to receive power at Basic Service prices. The City will seek to minimize this risk by contracting with reputable Competitive Suppliers who demonstrate reliable service. The City also intends to include conditions in its contract with a Competitive Supplier that will indemnify participating consumers against risks or problems with power supply service.

11.4 OTHER PROTECTIONS

The City intends to negotiate a range of provisions in its contracts to enhance participating consumer protection.

12 REQUIREMENTS CONCERNING AGGREGATED SERVICE

The City fully intends to comply with the requirements established by law and the rules set forth by the Department concerning aggregated service.



Haverhill

Purchasing Department, Room 105
Phone: 978-374-2309 Fax: 978-521-4348
purchasing@cityofhaverhill.com

March 13, 2015

Haverhill City Council
City Hall, Room
Haverhill, MA 01830-5875

Dear President Michitson:

The Municipal Aggregation Plan, as prepared by Colonial Power Group and the Purchasing Office is a basic aggregation plan that has been previously accepted with updates to meet current state regulations. The plan provides the City the flexibility to work with electricity suppliers to assist with reducing supply cost for residents, but also determine the makeup of the City's power supply, and/or where that supply comes from.

The overall purpose of this plan is to supply the City with an opportunity to provide residents with a meaningful choice to their electric supply, other than the basic service rate/supply provided by the utility. By adopting this plan, the City will move forward with seeking the additional approvals needed by the Department of Energy Resources and Department of Public Utilities. We recognize that the cost of electricity, especially this winter, can take its toll on city household's and business's and authorizing the City under this plan will give residents a tool to help isolate themselves from some of this pricing volatility the currently exists.

Orlando Pacheco
Purchasing Agent/Energy Manager



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

16.1

ORDERED:

MUNICIPAL ORDINANCE

CHAPTER 240

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240-108, ARTICLE XVI. Parking Fees, Rates and Terms is hereby amended as follows:

By deleting the figure "\$0.50" under the heading "Hourly Rate" on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND TERMS chart, and, by inserting the figure and words "\$1.00 for on-street/\$0.75 for off-street parking" in place thereof; and,

By deleting the figures and words "8:00 a.m. to 6:00 p.m.", "8:00 a.m. to 8:00 p.m." "3:00 p.m. to 8:00 p.m.", under the heading "Hours of Operation" on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND TERMS chart, and, by inserting the figures and words "10:00 a.m. to 8:00 p.m." in place thereof; and,

By deleting the figure "\$8.00" under the heading "Daily Maximum" on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND TERMS chart, and, by inserting the figure "\$10.00" in place thereof; and,

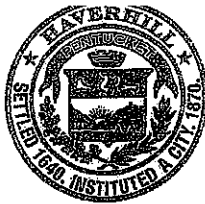
By deleting the figure "\$6.00" under the heading "Daily Maximum" on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND TERMS chart, and, by inserting the figure "\$7.50" in place thereof; and,

By deleting the figure "\$2.00" under the heading "Daily Maximum" on the CENTRAL BUSINESS DISTRICT PARKING FEES, RATES AND TERMS chart, and, by inserting the figure "\$6.00" in place thereof.

APPROVED AS TO LEGALITY

City Solicitor

JAMES J. FIORENTINI
MAYOR



**CITY OF HAVERHILL
MASSACHUSETTS**

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@CITYOFHAVERHILL.COM
WWW.CI.HAVERHILL.MA.US

March 13, 2015

City Council President John A. Michitson and
Members of the Haverhill City Council

RE: Parking Ordinance

Dear Mr. President and Members of the Haverhill City Council:

Enclosed please find the ordinances incorporating the changes to the parking plan as recommended by
our consultant and our parking committee.

These changes must be placed on file for two weeks after which time I recommend approval.

Respectfully submitted,

James J. Fiorentini, Mayor

JJF/ah



Haverhill

Department of Public Works
500 Primrose Street
Haverhill, MA 01830
Phone: 978-374-2360
Fax: 978-374-2362
www.ci.haverhill.ma.us

Michael K. Stankovich
Director of Public Works
mstankovich@cityofhaverhill.com

Date: March 13, 2015

To: Mayor James J. Fiorentini

From: Michael K. Stankovich, Director of Public Works *Michael K. Stankovich*

Re: Central Business District Parking

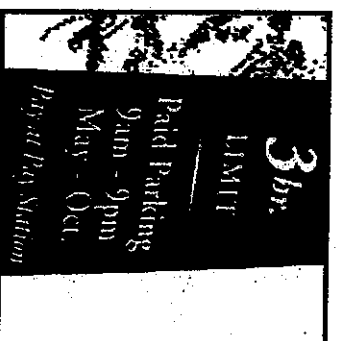
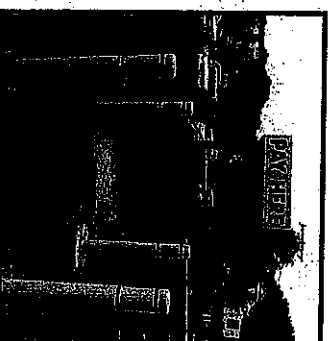
Please be advised that Parking Consultant John Burke has recommended changes to the Central Business District area. The Central Business District Parking Commission concurs with these proposed changes.

Program Review

Recommendations

Simplify/Standardize Parking Program

12. Improve functionality and user-friendliness of pay stations by:
 - Installing awnings to reduce glare & provide cover from rain/sun
 - Improving pay station signage/instruction plate
 - Converting to Pay & Display in lots
 - Promoting 5-minute customer grace period on expiration.
13. Standardize on- & off-street meter pay periods, payment methods and corresponding signage
 - 10 a.m. to 8 p.m. (M-F). Consider Sat. in future
 - Pay & Display for on-street and off-street parking
 - Unified sign system (i.e. lot name, hours of ops., fee, time limits, branding, etc.)



Program Review

Recommendations

Sustainable Pricing & Enforcement

14. Increase the on-street hourly parking rate to \$1.00 and off-street hourly rate to \$0.75 to ensure that the program is self-sustaining.
15. Replace manual ticket writing with an electronic/wireless handheld system integrated with the Pay Station's management system, Permit Program and Pay-by-Phone.



CITY COUNCIL

JOHN A. MCHITSON
PRESIDENT
ROBERT H. SCATAMACCHIA
VICE PRESIDENT
MELINDA E. BARRETT
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WILLIAM H. RYAN
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MARY ELLEN DALY O'BRIEN
MICHAEL S. MCGONAGLE
COLIN F. LEPAGE



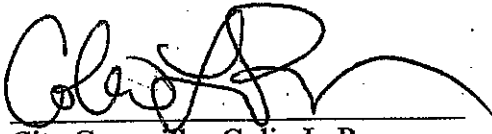
CITY HALL, ROOM 204
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TELEPHONE: 978 374-2328
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citycnd@cityofhaverhill.com

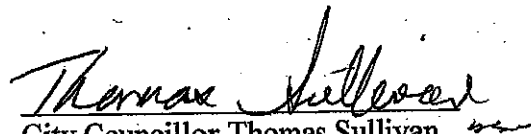
CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

February 19, 2015

TO: Mr. President and Members of the City Council:

Councillors LePage and Sullivan request a discussion regarding the Cogswell School RFP.


City Councillor Colin LePage


City Councillor Thomas Sullivan

IN CITY COUNCIL: February 24 2015
POSTPONED TO MARCH 3 2015
Attest:

City Clerk

IN CITY COUNCIL: March 3 2015
POSTPONED TO MARCH 10 2015
Attest:

City Clerk

IN CITY COUNCIL: March 10 2015
POSTPONED TO MARCH 17 2015
Attest:

City Clerk



18.1

CITY OF HAVERHILL
ASSESSORS OFFICE - ROOM 115
Phone: 978-374-2316 Fax: 978-374-2319
Assessors@cityofhaverhill.com

March 3, 2015

TO: MEMBERS OF THE HAVERHILL CITY COUNCIL:

In accordance with Municipal Ordinance, Chapter 7,
entitled "Assessor" as follows:

The Board of Assessors shall file monthly with the
City Council a copy of the report submitted to the
Auditor showing a summary of the above abated
amounts for that month.

Attached herewith is the report for the month of
February as filed in the Assessors Office.

Very truly yours,

Stephen C. Gullo, MAA
Assessor

[illegible]

John D. O'Connell
Chairman

CITY COUNCIL

JOHN A. MICHITSON
PRESIDENT
 ROBERT H. SCATAMACCHIA
VICE PRESIDENT
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 COLIN F. LEPAGE



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CITY OF HAVERHILL
HAVERHILL, MASSACHUSETTS 01830-5843

DOCUMENTS REFERRED TO COMMITTEE STUDY

4	Communication from Councillor Macek requesting a discussion regarding the proposed Monument Square traffic divider/island.	Planning & Dev.	1/3/12
102	Communication from Councillor Macek requesting to discuss the Taxicab and Buses Ordinance	Administration & Finance	10/15/13
102-H	Communication from Councillor Macek requesting to propose the establishment of an Adult and Senior Fitness Park	NRPP	10/29/13
84 & 84A/13	Ordinance re: Zoning, Amend City Code, Ch. 255, Table of Use & Parking Regulations Page 8; to allow Medical Marijuana Dispensary/Treatment centers to be located only in our business parks	Transferred to Administration & Finance	2/11/14
55-E	Communication from Councillor Macek – necessary repairs on the Clement Farm property leased to American Legion	NRPP	6/17/14
55-F	Communication from Councillor Daly O'Brien re: Street noise increasing on Essex St. and Washington St. area	Public Safety	6/17/14
55-U	Communication from President Michitson requesting to address comprehensive vision, plan & process – critical information for City Council to determine needs/gaps, solutions and spending priorities for Haverhill	A & F	8/19/14
55-X	Communication from Councillor Sullivan regarding a Jr. Park Ranger Sumer Program	Public Safety	8/19/14
90	Ordinance Relating to Peddling and Soliciting, Section 191—9 Licenses add at end of subsection A: permitted to Locations: "Food Trucks of any size may be allowed at all permitted fixed location with approval from City Council"	A & F	9/2/14
125	Petition from Brian S. Minkle requesting to purchase City land abutting his property on Crystal Lake Rd., Assessor's Map 566, Block 2, Lot 11, said house is at 35 Mendum Rd/ 86 Crystal Lake Rd, Assessor's Map 566, Block 2, Lot 7A	NRPP	12/2/14
10-B	Communication from Councillor Barrett requesting to discuss lack of City representation on HC Media Board of Directors	A. & F	1/6/15
10-J	Communication from Councilor LePage requesting to discuss tag days	Public Safety	2/10/15
10-N	Communication from Councillor McGonagle requesting to introduce a representative from Haverhill Fire Dept. Safety Committee to give status update on rescue truck	Public Safety	3/3/15